



## Fact Sheet:



# TOBACCO SALES TO YOUTH

## *Why License Tobacco Retailers?*

- 1) Tobacco is a harmful product that is highly addictive & responsible for 40,000 California deaths annually and 440,000 nationally.<sup>1</sup>
- 2) Initial use of tobacco occurs almost exclusively during the teen years. Almost all adult tobacco users report initiating tobacco use before they were legally able to buy it.<sup>2</sup>
- 3) The majority of youth who smoke believe it is easy to buy cigarettes.<sup>3</sup>
- 4) Tobacco companies spent \$11.22 Billion in 2001 in the U.S. on cigarette advertising and promotions, the most ever reported.<sup>4</sup>
  - *\$4.45 Billion, or 39.7%, went to promotional allowances - payments to retailers to promote cigarette sales*
  - *\$284 Million, or 2.5%, went to retail environment marketing - ads posted at the retail location*
- 5) In California the average store features more than 17 pieces of advertising promoting tobacco products.<sup>5</sup>
- 6) Three out of four teenagers shop at convenience stores once a week.<sup>6</sup>
- 7) Children who report seeing tobacco ads in stores are more likely to experiment with smoking.<sup>7</sup>
- 8) Eliminating tobacco sales to teens will interrupt and break the chain of progressive addiction, in which a youth progresses from experimenting with tobacco to becoming an addicted smoker.<sup>8</sup>
- 9) California has anywhere from 65,000 to 80,000 unlicensed tobacco retailers. As of June, 2003 California has 32 local licensing ordinances in place.<sup>9</sup> Youth access to tobacco is governed by two state laws: Penal Code 308(a), and Business and Professions Code 22950-22963, known as the Stop Tobacco Access to Kids Enforcement (STAKE) Act. Both laws prohibit tobacco sales to minors and assess fines and or penalties for violations. Additionally, each law requires retailers to check ID and post STAKE Act age-of-sale warning signs.<sup>10</sup>

- 10) Communities with comprehensive tobacco control programs and enforcement have lower youth smoking rates than communities without comprehensive tobacco control programs.<sup>11</sup>
- 11) Preventing the illegal sale of tobacco products to minors is a key component of California's comprehensive approach to reducing tobacco use in the state.<sup>12</sup>

<sup>1</sup> U.S. Centers for Disease Control and Prevention (CDC). Annual Smoking-Attributable Mortality, Years of Potential Life Lost, and Economic Costs — United States, 1995–1999. *Morbidity and Mortality Weekly Report (MMWR)*. 2002; 51: 300-303.

<sup>2</sup> US Department of Health and Human Services. *Preventing Tobacco Use Among Young People: A Report of the Surgeon General*. Atlanta, GA: US Department of Health and Human Services, Centers for Disease Control and Prevention; 1994.

<sup>3</sup> California Department of Health Services. *2002 California Tobacco Survey*. Sacramento, CA: California Department of Health Services, Tobacco Control Section; 2004.

<sup>4</sup> U.S. Federal Trade Commission (FTC), *Cigarette Report for 2001*, June 12, 2003  
2001 Advertising and Promotional Expenditures: \$11.22 Billion was spent on cigarette advertising and promotion, the most ever reported by the major cigarette manufacturers. Newspaper: \$31.7 Million, or 0.3% of all expenditures. Magazine: 172.9 Million, or 1.5%. Outdoor: \$8.2 Million, or less than one-tenth of one percent. Transit: zero. Point of sale promotional materials (ads posted at the retail location) \$284.3 Million, or 2.5% of total advertising and promotion in 2001 (down from \$347.0 Million in 2000).

<sup>5</sup> Feighery E. Cigarette Advertising and promotional strategies in retail outlets: results of a statewide survey in California. *Tobacco Control*. 2001; 10L:184-188.

<sup>6</sup> Point of Purchase Advertising Institute. *The Point of Purchase Advertising Industry Fact Book*. Englewood, New Jersey; The Point of Purchase Advertising Institute, 1992.

<sup>7</sup> Schooler C. et al. Seventh Graders' Self-Reported Exposure to Cigarette Marketing and Its Relationship to Their Smoking Behavior, *American Journal of Public Health*. September 1996, 86(9): 1216-1221.

<sup>8</sup> Khuder S. et al. Age at Smoking Onset and its Effects on Smoking Cessation. *Addictive Behaviors*, 1999; 24(5): 673-677.

<sup>9</sup> Facts compiled from American Nonsmokers' Rights Foundation web page, [www.no-smoke.org](http://www.no-smoke.org). June 2003.

<sup>10</sup> Business & Professions Code 22950-22963/1992 Federal Synar Amendment.  
1992 federal law requires states to: Enact & enforce laws that make it illegal to sell tobacco to minors; reduce the illegal sale of tobacco to minors statewide to no more than 20%; federal funding for alcohol and drug abuse prevention and treatment may be cut if the sales rate exceeds 20%. Section 1926 of the Alcohol, Drug Abuse and Mental Health Administration Reorganization Act was created to decrease access to tobacco by youth. Named for its sponsor, Congressman Mike Synar of Oklahoma, the Synar Amendment requires states to enact and enforce laws prohibiting any manufacturer, retailer, or distributor from selling or distributing tobacco products to individuals under the age of 18. Each state must submit an annual report to the Secretary of Health and Human Services describing that year's enforcement activities, the extent to which the state reduced availability of tobacco to minors, and a strategy for achieving an inspection failure rate of 20% or less.

<sup>11</sup> Forster J. The Effects of Community Policies to Reduce Youth Access to Tobacco. *American Journal of Public Health*. 1998; 88: 1193-1198.

<sup>12</sup> California Department of Health Services. *A Model for Change: The California Experience in Tobacco Control*. Sacramento, CA: California Department of Health Services, Tobacco Control Section; 1998.